

REMARKS

Rejections under 35 USC 102

The independent claims (claim 1 "A method for processing rules," claim 8 "A system for processing a rules base," claim 9 "A rules processing system," claim 10 "A data structure embodied in a computer-readable medium" and claim 11 "Software comprising instructions") all stand rejected as unpatentable over Masui (U.S. 5,179,632).

Independent claim 1

With reference to claim 1, the office action takes the position that Masui teaches:

processing the rules base to form a data structure (C 2, L 43 through C 3, L 20; "rule relation graph"), wherein the data structure includes for each of the plurality of rules storage locations (C 1, L 24-54, where it states "the current data are supplied to the network to check if the data satisfy the condition clauses stored in each node"; also C 2, L 43 through C 3, L 20) for holding Boolean values of the condition elements of the conditions for said rule (C 5, L 26 through C 6, L 24 where it states "'X' represents a variable which takes a same number within a single rule" as well as C 13. Masui's variable could be of various types, including Boolean).

Claim 1, as amended, requires in part:

... each rule being associated with a corresponding portion of the data structure, each corresponding portion representing the condition for the rule and including storage locations for holding values of the condition elements.

The office action asserts that a data structure that includes storage locations for the holding the values of the condition elements is taught by Masui, because Masui checks "if the data satisfy the condition clauses stored in each node." While the applicant disagrees with this assertion, the applicant maintains that Masui fails to disclose or suggest either of two limitations of the amended claim: (1) each rule being associated with a portion of the data structure that represents the condition for the rule, and (2) the corresponding portion including storage locations for holding values of the condition elements.

With respect to the first of these limitations, Masui does not disclose or suggest that each rule is associated with a "corresponding portion of the data structure ... representing the

condition for the rule.” The office action has not identified in what way Masui’s “rules relation graph” includes a corresponding portion holding each rule’s condition.

With respect to the second limitation, Masui does not disclose a corresponding portion of the data structure associated with each rule that includes storage locations for holding values of the rule’s condition elements. If the office action is referring to Masui’s statement that the storage of “condition clauses ... in ... node[s],” then even assuming that a node corresponds to the recited “portion of a data structure,” an assumption which the applicant does not concede is true, Masui does not disclose or suggest that a node holds the values of a rule’s condition elements. For example, in Masui each rule could link to multiple nodes and therefore the nodes that may hold the values of the condition elements are not each associated with a particular rule. Therefore, Masui does not designate to each rule having a corresponding portion of the data structure for the rule’s condition.

Additionally, even if Masui does teach that each rule has a corresponding portion of a data structure and that “the data structure includes ... storage locations,” which the applicant does not concede is true, Masui neither discloses nor suggests that the corresponding portion of the data structure includes the storage locations, because Masui fails to specify where in the data structure the storage locations are situated. Therefore, Masui neither discloses nor suggests that the storage locations are situated in a portion of the data structure corresponding to a rule.

For at least these reasons, claim 1 and its dependents are allowable over Masui.

Independent claims 8 - 11

Independent claims 8 through 11 have been similarly amended as claim 1. Additionally, these claims are allowable over Masui for one or more of the reasons set forth above claim 1.

Rejections under 35 USC 101

Claims 1-11 stand rejected as being directed to non-statutory subject matter.

With regard to claim 1 (“method for processing rules”) the office action takes the position that “processing the rules base to form a data structure” does not constitute statutory subject matter because it does not result in a useful, concrete, tangible result. The applicant does not

agree that forming such a data structure is purely abstract. Nevertheless, the applicant has amended the claim to recite “processing the rules base to form a data structure in a computing system” to make clear that there is a tangible result of the “processing” step.

With regard to claim 8 (“system for processing rules”) and claim 9 (“rules processing system”) the office action has not provided a basis for the position that the claims are directed to abstract ideas. The applicant maintains that these claims are directed to statutory subject matter and requests that if the office maintains this rejection, reasons specific to these claims be provided.

With regard to claim 10 (“data structure embodied in a computer-readable medium”) and claim 11 (“software comprising instruction embodied in a computer-readable medium”) are both directed to functional descriptive material embodied on a computer readable medium and as such are directed to statutory subject matter.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant respectfully requests that the examiner grant the independent claims or specify (1) where Masui associates each rule with a corresponding portion of the data structure representing the rule's condition and (2) where Masui discloses that the storage locations are included in the corresponding portion of the data structure.

Applicant : Rehberg et al.
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Page : 8 of 8

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Please apply the \$60.00 fee for the Petition for Extension of Time fee and any other charges or credits to deposit account 06 1050 referencing attorney docket number 16887-002001.

Respectfully submitted,

Date: August 4, 2006

/ Jan Robin Rohlicek /

J. Robin Rohlicek, J.D., Ph.D.

Reg. No. 43,349

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906